| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/737,341 | 12/15/2000 | James C. Colson | 157-956 | 9182 |

7590      04/16/2003

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| EXAMINER |
|---|
| NGUYEN, CAM LINH T |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2171 | |

DATE MAILED: 04/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

/

| | Application No. | Applicant(s) |
|---|---|---|
| **Offic   Action Summary** | 09/737,341 | COLSON ET AL. |
| | Examiner | Art Unit | |
| | Cam-Linh T. Nguyen | 2171 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period f r Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *15 December 2000* .

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disp sition of Claims**

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04/27/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachm nt(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:  .

U.S. Patent and Trademark Office
PTO-326 (Rev. 04-01)                    Office Acti n Summary                    Part of Paper No. 4

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.      Claims 1 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Zollinger et al (U.S. 6,321,236).

♦ As per claim 1, 7, 14,

Zollinger et al (U.S. 6,321,236) discloses a method for implicit prioritization of

synchronizable data, including:

- " In response to a sync session request from a client device, reading a selected

  prioritization schema associated with a user initiating the sync session request"

  - A sync session request corresponds to element 96 in Fig. 6.

  - See Fig. 6. The "prioritization schema" corresponds to the "profile

    information".

- "Retrieving schema effecting data necessary in effecting the selected

  prioritization schema" corresponds to the step 100 in Fig. 6 where Zollinger

  teaches that the server will determine which database tables are applicable to

  the client (col. 12 line 32 – 34).

- "Producing a prioritized data set based on the selected prioritization schema"

  corresponds to step 110 in Fig. 6. In the case of there is an optional information

associated with the sync request which specifies the priority data, then when it goes to step execution, it will producing a prioritized data set.

Zollinger does not clearly teach about "prioritization schema". However, referring to col. 8 line 15 – 28, where the profile information specifies which table or version of table is authorized for update. In other words, this specifies the prioritized data in the client database; and the "prioritization schema" corresponds to the information that specified in the profile. The server will determine existing table, version and ascertain the engine type on the client computer. Therefore, the "prioritization schema" clearly is inherent. The sync session request can associate with some types of designs or Ids in order for the system validate the client with the profile stored in the database (Fig. 6 element 98, col. 12 line 21 – 23, 60 - 65).

Nonetheless, to expedite prosecution, even if the limitation of the above were not inherent, it would have been obvious to one with ordinary skill in the art at the time the invention was made to specify such "prioritization schema" associated with the sync secession request because this provides fast access to the data that need to be updated.

♦ As per claim 2, 8, 15, Zollinger discloses:

- "Enabling a user to choose the selected prioritization schema from the plurality of available prioritization schemas". See col. 8 line 15 – 28 of zollinger. There are a lot of option parameters in the profile information and it can be applied to any type of data store (Col. 4 line 5 – 14). Therefore the user can select prioritized schema for their profile.

◆ As per claim 3, 16, Zollinger discloses:

- "Enabling the user to choose an additional selected prioritization scheme". Again, the user can specify which table has prioritization (See col. 8 line 15 – 28). Therefore, the user can also choose additional scheme such as specifies which version of table have prioritization.

◆ As per claim 4, 9, 17, Zollinger discloses:

When a user specifies which table and which version of table in the profile that needs to update as listed in col. 8 line 15 – 28, it corresponds to "a particular prioritization formula" that the system needs to retrieve for synchronization process (See Fig. 6 element 100 – 104).

◆ As per claim 5 – 6, 10 – 11, 18 – 20, Zollinger discloses:

Fig. 6 teaches about the determining the request characteristics. When the system validates the transaction with the profile at step 98, it must check for identification for the requesting user, the client device type (step 104). From these characteristics, the database will retrieve the co response table or parameters from the storage.

◆ As per claim 12 – 13, Zollinger discloses:

The data that specifies the structure table or prioritization schemes in the database is corresponding to the metadata. The table stored in the profile information is corresponding to "the objective data" to which the client device is to be synchronized.

◆ As per claim 21 – 22, Zollinger discloses:

- "A prioritization scheme storage" corresponds to the "profile database" in Fig. 1
  element 56.

- Fig. 1 is a system comprises a data processing device, and it clearly operating
  under the control or operational software

### Conclusion

1.      The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

- Keith Crozier (U.S. 5,701,423) discloses a method for mapping, translating, and
  dynamically reconciling data between disparate computer platforms.

- David J. Boothby (U.S. 6,405,218) discloses a synchronizing databases system.

- Masaki Abe (U.S. 6,345,308) discloses a network computer system and method
  for executing data synchronization process thereof.

- Charles Wu (U.S. 6,442,570) discloses an object identification and data
  communication during an object synchronization process.

- Larue et al (U.S. 6,401,104) discloses a system and methods for synchronizing
  datasets using cooperation among multiple synchronization engines.

2.      Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Cam-Linh T. Nguyen whose telephone number is 703-
305- 1951.  The examiner can normally be reached on Monday - Friday from 8:00 am to
4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic, can be reached on (703) 308- 1436. The fax phone number

for the organization where this application or proceeding is assigned is 703- 746- 7239.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703- 305-

3900.


Cam-Linh Nguyen
Art Unit 2171


SAFET METJAHIC
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